

REMARKS

The limitations of claim 21 are added to claim 11. Of course claim 21 is canceled as redundant of thus-amended claim 11, and the dependency of claim 22 is correspondingly changed.

This amendment must be entered after final rejection, because claim 21 was in the case at the time of final rejection and amended claim 11 is identical to previous claim 21. Therefore, there is no proper possibility of refusing entry to this amendment.

Amended claim 11 should also be allowed, and with it the claims that depend therefrom.

This is because no reference of record or any proper combination thereof, can produce the structure now set forth in amended claim 11.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as unpatentable over UK 2209041 in view of DE 20116169 and RUBY or WATTS.

It is believed that the UK document and the German patent have been sufficiently discussed in our prior presentation, that they need not be again discussed in detail. Suffice it to say that the UK publication simply wraps a single layer about a circular column; whereas the German patent does the same, as regards the configuration of the wrapping itself.

Turning then to RUBY, we see in the final rejection reference to Figure 13 of RUBY, which shows rectangular blocks on

a common flexible support. But when those blocks are swung toward each other, they will touch only at their upper edges, because the distance between them is less than their height. This is really no different from what is shown in Figure 14 of RUBY, except that there will be triangular spaces between the blocks.

Therefore, Figure 13 of RUBY does not suggest a construction which could encompass a rectangular beam.

WATTS discloses a rectangular structure which would be suitable for encompassing a rectangular beam. (Actually, of course, WATTS is constructing a hollow air duct; but for purposes of patent examination, the intended use of the device does not matter.)

In Figures 5 and 6, WATTS teaches the provision of a series of panels mounted on a flexible support, so that the assembly of panels can be folded into a rectangle. In column 4, lines 20 and 21, WATTS says that this construction will permit folding into the orthogonal orientation shown in Figure 1 of the drawings. Actually, however, it won't: the orthogonal construction shown in Figure 1 of the drawings has four panels 22 connected by flexible outer sheathing; but when you open up the sheathing of Figure 1, you find that those panels 22 are not separated from each other but rather are contiguous to each other at the web 20.

Therefore, folding up the construction of Figures 5 and 6 results in something different from Figure 1.

Specifically, folding up Figures 5 and 6 into an orthogonal hollow construction (with or without a beam in the middle) results in something quite different from the present invention. This is because the webs 22 shown in Figure 6 are separated from each other by a distance greater than their thickness.. This greater distance is constituted by "W1", which, in column 4, lines 15 and 16 of WATTS is said to be substantially equal to a thickness of the outer fiberglass web 20, plus "W2" equal to a combined thickness of the outer fiberglass web 20, the inner fiberglass web 22 and the inner foil web 24. Thus, W2 is greater than the thickness of 22 plus 24, which by itself takes it outside the scope of our claim 11; and this disparity is increased by W1.

Thus, if, say, the right-hand web 22 in Figure 6 were swung up by 90°, the vertical foil web 24 would be spaced from the left-hand web 22 by a distance equal to twice W1. This in no way corresponds to the present invention and would produce a structure as different from the present invention as would the structure of Figure 13 of RUBY.

In short: WATTS is no better than RUBY, for a teaching of the arrangement of the present invention as now clearly set forth in amended claim 11.

There being no way to reach the claim 11 construction by any obvious rearrangement of the four applied references, it is clear that claim 11 is patentable and with it the claims that depend therefrom.

Passage to issue is accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

Robert J. Patch, Reg. No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

RJP/lrs